

MICHAEL A. JACOBS (SBN 111664)
 MJacobs@mofo.com
 JOSEPH C. GRATZ (SBN 240676)
 JGratz@mofo.com
 TIFFANY CHEUNG (SBN 211497)
 TCheung@mofo.com
 MELODY E. WONG (SBN 341494)
 MelodyWong@mofo.com
 MORRISON & FOERSTER LLP
 425 Market Street
 San Francisco, California 94105-2482
 Telephone: (415) 268-7000
 Facsimile: (415) 268-7522
 [CAPTION PAGE CONTINUED ON NEXT PAGE]

Attorneys for Defendants OPENAI, INC., a Delaware nonprofit corporation, OPENAI, L.P., a Delaware limited partnership, OPENAI GP, L.L.C., a Delaware limited liability company, OPENAI STARTUP FUND GP I, L.L.C., a Delaware limited liability company, OPENAI STARTUP FUND I, L.P., a Delaware limited partnership, OPENAI STARTUP FUND MANAGEMENT, LLC, a Delaware limited liability company, OPENAI OPCO, L.L.C., a Delaware limited liability company

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

J. DOE 1 and J. DOE 2, individually and on behalf of all others similarly situated,

Plaintiffs,

v.

GITHUB, INC., a Delaware corporation;
 MICROSOFT CORPORATION, a Washington corporation; OPENAI, INC., a Delaware nonprofit corporation; OPENAI, L.P., a Delaware limited partnership; OPENAI GP, L.L.C., a Delaware limited liability company; OPENAI STARTUP FUND GP I, L.L.C., a Delaware limited liability company; OPENAI STARTUP FUND I, L.P., a Delaware limited partnership; OPENAI STARTUP FUND MANAGEMENT, LLC, a Delaware limited liability company; OPENAI OPCO, L.L.C., a Delaware limited liability company,

Defendants.

Case No. 4:22-cv-06823-JST
 Case No. 4:22-cv-07074-JST

Hon. Jon S. Tigar

CLASS ACTION

CERTIFICATE OF SERVICE

1 ALLYSON R. BENNETT (SBN 302090)
ABennett@mofo.com
2 ROSE S. LEE (SBN 294658)
RoseLee@mofo.com
3 ALEXANDRA M. WARD (SBN 318042)
AlexandraWard@mofo.com
4 MORRISON & FOERSTER LLP
707 Wilshire Boulevard
5 Los Angeles, California 90017-3543
Telephone: (213) 892-5200
6 Facsimile: (213) 892-5454

CERTIFICATE OF SERVICE

I declare that I am employed with the law firm of Morrison & Foerster LLP, whose address is 425 Market Street, San Francisco, California 94105-2482. I am not a party to the within cause, and I am over the age of eighteen years.

I further declare that on June 29, 2023, I served a copy of:

- DEFENDANTS OPENAI, INC., OPENAI, L.P., OPENAI OPCO, L.L.C., OPENAI GP, L.L.C., OPENAI STARTUP FUND GP I, L.L.C., OPENAI STARTUP FUND I, L.P., AND OPENAI STARTUP FUND MANAGEMENT, LLC'S MOTION TO DISMISS FIRST AMENDED COMPLAINT [FILED UNDER SEAL]

☒ **BY ELECTRONIC SERVICE [Code Civ. Proc sec. 101.6; CRC 2.251]]** by electronically mailing a true and correct copy through Morrison & Foerster LLP's electronic mail system from ADupree@mofo.com to the e-mail address(es) set forth below, or as stated on the below service list per agreement in accordance with Code of Civil Procedure section 1010.6 and CRC Rule 2.251.

Joseph R. Saveri
Steven N. Williams
Cadio Zirpoli
Elissa A. Buchanan
Travis Manfredi
Christopher Kar-Lun Young
Louis A. Kessler
JOSEPH SAVERI LAW FIRM, LLP
601 California Street, Suite 1000
San Francisco, California 94108
Email: jsaveri@saverilawfirm.com
swilliams@saverilawfirm.com
czirpoli@saverilawfirm.com
eabuchanan@saverilawfirm.com
tmanfredi@saverilawfirm.com
cyoung@saverilawfirm.com
lkessler@saverilawfirm.com

Annette L. Hurst
Daniel D. Justice
ORRICK, HERRINGTON & SUTCLIFFE
LLP
405 Howard Street
San Francisco, CA 94105-2669
Email: ahurst@orrick.com
djustice@orrick.com

William W. Oxley
Alyssa Cardis
ORRICK, HERRINTON & SUTCLIFFE
LLP
355 S. Grand Avenue
Los Angeles, CA 90071
Email: woxley@orrick.com
acaridis@orrick.com

Matthew Butterick
1920 Hillhurst Avenue, #406
Los Angeles, CA 90027
Email: mb@buttericklaw.com

Attorneys for Defendants
GitHub, Inc. and Microsoft Corporation

Attorneys for Plaintiff
Individual and Representative Plaintiffs and the
Proposed Class

1 I declare under penalty of perjury that the foregoing is true and correct.

2 Executed at Oakland, California, this 29th day of June, 2023.

3
4 Andréa M. Duprée
5 (typed)

/s/ Andréa M. Duprée
(signature)